



Atty. Dkt. No. 074129-0488

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Katsumi IGA et al.
Title: PERCUTANEOUS ABSORPTION PREPARATION OF
COMPOUND HAVING ANGIOTENSIN II
ANTAGONISTIC ACTIVITY
Appl. No.: 09/913,516
Filing Date: August 15, 2001
Examiner: K. M. George
Art Unit: 1616

TECH CENTER 1600/2900

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RESPONSE TO ELECTION OF SPECIES

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

This paper is a response to the restriction requirement set forth in the Office Action mailed on January 30, 2003. While Applicants believe that no fee is required to make this response timely, if this belief is in error, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-0741.

The Examiner requires election of one of the following three species of the genus of claim 1: 2-ethoxy-1-[[2'-(1H-tetrazol-5-yl)biphenyl-4-yl]methyl]benzimidazole-7-carboxylic acid (claim 7), 1-(cyclohexyloxycarbonyloxy)ethyl 2-ethoxy-1-[[2'-(1H-tetrazol-5-yl)biphenyl-4-yl]methyl]benzimidazole-7-carboxylate (claim 8), or 2-ethoxy-1-[[2'-(2,5-dihydro-5-oxo-1,2,4-oxadiazol-3-yl)biphenyl-4-yl]methyl]benzimidazole-7-carboxylic acid (claim 9).


Applicants hereby elect the species, 1-(cyclohexyloxycarbonyloxy)ethyl 2-ethoxy-1-[[2'-(1H-tetrazol-5-yl)biphenyl-4-yl]methyl]benzimidazole-7-carboxylate (claim 8), for examination of the merits. Claims 1-6, 8 and 10-40 read on the elected species.

Applicants reserve the right to file one or more divisional applications covering the subject matter of the non-elected species. Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,

Date FEBRUARY 28, 2007

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